



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5  
77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590

US EPA RECORDS CENTER REGION 5



REPLY TO THE ATTENTION OF:

**OCT 18 2012**

SE-5J

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

Mr. Kurt L. Kohlrus  
Mr. Thomas J. Kohlrus  
c/o Tony's Electric Service, Inc.  
1304 Griffiths Avenue  
Springfield, Illinois 62702

Re: Springfield Iron Company Site  
NE Corner of the Intersection of Ridgely Avenue and Factory Street  
Springfield, Sangamon County, Illinois  
Site Spill Identification Number: C5D8  
General Notice of Potential Liability

Dear Sirs:

The U.S. Environmental Protection Agency has documented the release or threat of release of hazardous substances, pollutants and contaminants into the environment from the Springfield Iron Company Site (SICS), and is planning to spend public funds to control and investigate these releases. This action will be taken by EPA pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended (CERCLA), 42 U.S.C. §§ 9601-9675 unless EPA determines that such action will be done properly by a responsible party or parties. Responsible parties under CERCLA include the current and former owners and operators of the SICS, and persons who generated the hazardous substances or were involved in the transport, treatment or disposal of the hazardous substances at the SICS. Under Section 107(a) of CERCLA, 42 U.S.C. § 9607(a), where EPA uses public funds towards the cleanup of the hazardous substances, responsible parties are liable for all costs associated with the removal or remedial action and all other necessary costs incurred in cleaning up the SICS, including investigation, planning and enforcement costs.

EPA is currently planning to conduct the following actions at the SICS:

1. Develop a Work Plan for the contaminated soil assessment of the SICS.

2. Develop and implement a site health and safety plan.
3. Develop and implement an air monitoring plan.
4. Conduct land surveying to the extent necessary to establish a grid system to locate all property boundaries, special features (pipes, storage tanks, street rights-of-way, etc.), and sample locations.
5. Based upon soil results, remove, transport and dispose of all characterized or identified hazardous substances, pollutants, wastes or contaminants at a Resource Conservation and Recovery Act/CERCLA-approved disposal facility in accordance with the EPA off-site rule.
6. Obtain site access to conduct a removal action from those properties which exceeded removal action levels for: benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, benzo(k)fluoranthene, dibenz(a,h)anthracene, indeno(1,2,3-cd)pyrene, naphthalene, 2-methylnaphthalene, dibenzofuran, lead and vanadium. Impacted properties will be cleaned to these action levels.
7. Backfill excavated areas with clean material and topsoil with seeding as needed.
8. Restore streets, alleys and sidewalks, as needed.

You are receiving this letter because you are the current owners of a portion of the SICS. By this letter EPA notifies you of your potential liability with regard to this matter and encourages you, as potentially responsible parties, to enter into discussions with EPA about reimbursing EPA for costs incurred to date and voluntarily performing or financing some or all of the response activities that EPA has determined or will determine are required at the SICS. EPA is willing to discuss with you the entry of an appropriate administrative consent order under which you would perform or finance response activities and reimburse EPA for its costs.

If a consent order cannot be promptly concluded, EPA may issue a unilateral order under Section 106 of CERCLA, requiring you to perform specified work. Under Sections 106 and 107 of CERCLA, you may be liable for reimbursement of EPA's costs, for statutory penalties and for treble damages for noncompliance with such an order.

Because of the conditions described above, EPA believes that response activities at the SICS must be initiated as quickly as possible. Therefore, EPA does not intend to utilize the special notice procedures available under Section 122(e) of CERCLA.

As potentially responsible parties, you should notify EPA in writing within fourteen (14) business days of receipt of this letter of your willingness to perform or finance the activities described above and to reimburse EPA for its costs. Your response should be sent to:

U.S. Environmental Protection Agency, Region 5  
Superfund Division - Enforcement & Compliance Assurance Branch  
Enforcement Services Section 1, SE-5J  
77 West Jackson Boulevard  
Chicago, Illinois 60604-3590  
Attn.: Mrs. Debbie Keating, Enforcement Specialist

If EPA does not receive a timely response, EPA will assume that you do not wish to negotiate a resolution of your potential responsibility in connection with the SICS and that you have declined any involvement in performing the response activities.

Your response should indicate the appropriate name, address and telephone number for further contact with you. If you are already involved in discussions with state or local authorities, engaged in a voluntary cleanup action or involved in a lawsuit regarding this site, you should continue such activities as you see fit. This letter is not intended to advise you or direct you to restrict or discontinue any such activities already underway; however, you are advised to report the status of those discussions or actions in your response to this letter and to provide a copy of your response to any other parties involved in those discussions or actions.

If you need further information regarding this letter, you may contact Mr. Steven Kaiser of the EPA Office of Regional Counsel at 312-353-3804.

Due to the nature of the problem at this facility and the attendant legal ramifications, EPA strongly encourages you to submit a written response within the time frame specified herein. We hope you will give this matter your immediate attention.

Sincerely,



Sam Borries, Chief  
Emergency Response Branch 2

cc: Mr. Jon S. Faletto  
Attorney at Law, Hinshaw & Culbertson LLP

**SPRINGFIELD IRON COMPANY SITE**

**List of Potentially Responsible Parties Sent General Notice of Potential Liability**

Tony's Electric Service, Inc.  
1304 Griffiths Avenue  
Springfield, Illinois 62702  
Attn.: Mr. Thomas J. Kohlrus

Mr. Kurt L. Kohlrus  
Mr. Thomas J. Kohlrus  
c/o Tony's Electric Service, Inc.  
1304 Griffiths Avenue  
Springfield, Illinois 62702

City of Springfield  
c/o City Water Light and Power  
800 East Monroe Street, MCE 4<sup>th</sup> Floor  
Springfield, Illinois 62757  
Attn.: Ms. Christine Zeman  
Regulatory Affairs Manager